

REMARKS

This application pertains to a novel adhesive for an adhesive tape used in the papermaking industry for "flying roll changeover" utilizing "flying splices".

Claims 1-5 are pending.

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as obvious over Gebbeken et al (U.S. 2003/0134111A1). This reference constitutes prior art only under 35 U.S.C. 102(e).

This reference is disqualified by the Statement of Common Ownership which follows, and the rejection should therefore be withdrawn. See MPEP 706.02(k) and 706.02(I)(2)(II).

Claims 1-5 also stand rejected under 35 U.S.C. 103(a) as obvious over Nootbaar (US 2003/0190445A1, which constitutes prior art only under 35 U.S.C. 102(e).

This reference is disqualified by the Statement of Common Ownership which follows, and the rejection should therefore be withdrawn. See MPEP 706.02(k) and 706.02(I)(2)(II).

Claims 1-5 are rejected under 35 U.S.C. 103(a) as obvious over Gleichenhagen et al (U.S. 5,489,642) in view of Franke et al (U.S. Patent 3,706,676).

The Examiner acknowledges that while Gleichenhagen et al teach the use of ethoxylated alkylmonoamines, this reference fails to teach C₂₀ alkylamines. For this, the Examiner turns to Franke, and contends that it would be obvious to use Franke's alkylamines, based on eicosane.

The Gleichenhagen reference teaches to use a water-soluble plasticizer, and that ethoxylated water-soluble alkylmonoamine plasticizers are preferred.

Franke, by contrast, teaches ethoxylated amino alkane surfactants.

No person looking for a plasticizer would consider a surfactant for such a purpose.

To this end, there is absolutely nothing in the Franke reference that would teach or suggest that any of his compounds are plasticizers.

In addition, please note that Gleichenhagen requires water soluble plasticizers. The surfactants of the Franke reference are characterized by their "cloud points" (col. 7, Table A), which are a measurement of their hydrophobic-hydrophilic characteristics (col 7, lines 6-8). It is doubtful that any person skilled in the art would consider these compounds to be water-soluble.

There are therefore at least three reasons why those skilled in the art would never consider Franke's surfactants useful as Gleichenhagen's plasticizers.

Applicants' claims cannot therefore fairly be seen as obvious over any combination of Gleichenhagen and Franke, and the rejection of claims 1-5 under 35 U.S.C. 103(a) as obvious over Gleichenhagen et al (U.S. 5,489,642) in view of Franke et al (U.S. Patent 3,706,676) should now be withdrawn.

In view of the present remarks it is believed that claims 1-5 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

STATEMENT OF COMMON OWNERSHIP

The present application as well as published patent application 2003/0190445 and published patent application U.S. 2003/0134111 were, at the time of the invention claimed in the present invention, all commonly owned by tesa Aktiengesellschaft or subject to an obligation of assignment to tesa Aktiengesellschaft.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account

No. 14-1263.

Respectfully submitted,
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I hereby certify that this correspondence is being transmitted via facsimile, no 571-273-8300 to the United States Patent and Trademark Office, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 8, 2006.

By 

Zsuzsa Schuster

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